

Duty Statement

Department of Managed Health Care

OFFICE: Office of Enforcement	EFFECTIVE DATE:
CLASSIFICATION: Legal Assistant	DATE APPROVED: 4/27/2023
POSITION: 409-411-1820-XXX	TELEWORK DESIGNATION: Remote Centered
WORKING TITLE: Legal Assistant	

DEPARTMENT OBJECTIVE:

The mission of the California Department of Managed Health Care (DMHC) is to protect consumers' health care rights and ensure a stable health care delivery system. The DMHC accomplishes its mission by ensuring the health care system works for consumers. The Department protects the health care rights of more than 28.4 million Californians by regulating health care service plans, assisting consumers through a consumer Help Center, educating consumers on their rights and responsibilities and preserving the financial stability of the managed health care system.

PROGRAM OBJECTIVE:

The Department has a unique and important role in the protection of the health and wellbeing of Californians. The Knox-Keene Health Care Service Plan Act (the Act) requires the Department to ensure that enrollees are provided with timely access to quality health care services and is one of the only stand-alone watchdog healthcare agencies in the nation, mandated by the Legislature to protect and promote the interests of enrollees in healthcare service plans. The Department's Office of Enforcement (OE) investigates allegations of wrongdoing and prosecutes those found to be in violation of the Act.

GENERAL DESCRIPTION:

Under the immediate direction of the Staff Services Manager I (SSMI), the incumbent is assigned to the Division of Legal Administration's Legal Services Branch and provides administrative and legal support to the OE staff in connection with the enforcement of the Act. A Legal Assistant (LA) in the OE performs the more routine paralegal duties as well as the more difficult technical duties.

TYPICAL DUTIES:

Employee must be able to perform the following duties with or without reasonable accommodation.

PERCENTAGE JOB DESCRIPTION

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Essential (E)/Marginal (M)

- 40% (E)** Assist the attorneys in the prosecution of their cases by proofreading, finalizing, and transmitting correspondence, memoranda, pleadings, orders, discovery and any other document prepared in the prosecution of a case; proofreading an enforcement document includes ensuring the complete legal citation is identified and correct citation formation pursuant to the California Style Manual; ensure a document is timely and accurately routed to the Assistant Chief Counsel and Chief Counsel for review; ensure all internal administrative actions are timely and accurately performed regarding the identification and entry of prosecuted violations, identification of cases in a group prosecution in the OE's case management system, the identification of cases and associated penalty amount to be input into the Enforcement Action Database, and ensuring corrective action plan deliverables are timely and accurately transmitted to the OE's CAP Administrator. Bates-stamp, index, and organize documents submitted with a case referral. Assist paralegals in the organization and review of legal documents associated with the paralegals' caseloads and provide to the paralegal a preliminary analysis as to whether a violation of the Act has occurred.
- 25% (E)** Assist attorneys and paralegals in the preparation, finalization, transmission, and calendaring of discovery documents. Assist paralegals and attorneys with Bates-stamping and organizing discovery documents in assigned cases. Assist in the review of discovery initiated by a health plan by organizing, checking legal citation accuracy, and summarizing based on issues provided by an attorney or paralegal; transmit and track discovery to other DMHC offices and assist a paralegal with the coordination of office responses; scan office responses into the OE's case management system. With guidance provided by a paralegal, draft the Department's response to a health plan's discovery for review and final approval by an attorney and arrange for submission of responses. Gather, scan, Bates-stamp a health plan's responsive documents to the DMHC discovery and assist a paralegal with the review and summary of the discovery responses in preparation for discussion with an attorney who verifies a health plan's responsiveness; create issue log to document evidence supporting potential violations and review with paralegal or attorney. Index deposition transcripts.
- 15% (E)** Independently organize and maintain attorney caseload utilizing both paper and electronic filing systems. Scan, organize, file, update, and maintain electronic case files using the OE's case management system. Gather information from Westlaw/Lexis on the more complex legal issues for paralegal and attorney research. Perform routine research where statute or regulation number is known.
- 10% (E)** Assist with trial/hearing preparation, including marshalling evidence, preparing exhibits, preparing and serving subpoenas for witnesses,

arranging for court reporters and transcript deliveries; attend litigation team meetings; review and confirm docketed trial dates. Prepare trial materials and work with paralegal, assigned attorney, and the SSMI in determining the logistics of transporting volumes of documents, binders, and trial exhibits to hearing location and securing attorney travel accommodation.

5% (E) Manage all attorney-related travel and accommodations. Docket post-hearing dates for appeal.

5% (M) Triage phone calls from health plans and consumers that come via the OE's public phone line and forward to appropriate staff for handling and other related duties as assigned.

(marginal duties may not exceed 5% of the duty statement)

SUPERVISION EXERCISED OVER OTHERS:

Does not supervise others.

KNOWLEDGE, ABILITIES AND ANALYTICAL/SUPERVISORY REQUIREMENTS:

The employee should be familiar with DMHC mission, goals, organizational structure and major work programs. The employee must also have a demonstrated positive attitude and a commitment to conduct business in a professional manner in dealing with the public and department clients and provide quality customer service to all customers, and be able to deal tactfully, professionally and confidentially with all internal and external customers and contacts. In addition, the employee must have the following knowledge and abilities:

Knowledge of basic legal concepts, terminology, principles, and procedures; use of legal reference material; and legal office management principles.

Ability to: Reason logically; analyze situations accurately and recommend an effective course of action; write effectively; prepare reports and summary sheets set forth a statement of the facts, applications of the relevant law, and conclusions; read and understand statutes, court decisions, legal documents, and similar material; work cooperatively with attorneys, clerical staff, technical staff, and the general public; and explain the provision of law, procedures, and problems to persons contacted in the work.

CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS:

The employee may have access to very sensitive and confidential information. Careless, accidental or intentional disclosure of information to unauthorized persons can have far-reaching effects, which may result in civil or criminal action against those involved.

The OE relies upon the employee to ensure a document that leaves the OE contains correct legal citation format, correct grammar, punctuation, spelling, and syntax consistent with American English rules to within a five percent error rate. If a document leaves the OE with a higher error rate, it reflects poorly on the professional standards of the office.

PHYSICAL, MENTAL AND EMOTIONAL REQUIREMENTS:

Employees may be required to sit for long periods of time using a keyboard and video display terminal or traveling in a vehicle to other locations; must be able to organize and prioritize their

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work under deadline situations and adapt behavior and work methods in response to new information, changing conditions or unexpected obstacles; will be involved with sustained mental activity needed for analysis, reasoning and problem solving; must be able to develop and maintain cooperative working relationships, recognize emotionally charged issues, problems or difficult situations and respond appropriately, tactfully and professionally; and must be able to work independently. The employee must be able to create/proactively support a work environment that encourages creative thinking and innovation; understand the importance of good customer services and be willing to develop productive partnerships with managers, supervisors, other employees, and, as required, control agencies and other departments.

WORK ENVIRONMENT:

The DMHC utilizes a hybrid telework model to provide all employees with an avenue to telework while ensuring business and operational needs are met.

Remote-Centered employees are expected to maintain a safe and distraction free work environment at the approved alternate work location. Remote-Centered employees agree to adhere to the state telework policy, the DMHC's telework policy, and conditions cited in the Telework Agreement (STD 200).

Office-Centered employees are expected to maintain a dedicated workstation at a DMHC official worksite. Office-Centered employees are expected to work in a climate-controlled office or cubicle under artificial lighting.

POSITION REQUIREMENTS:

This position requires the incumbent maintain consistent and regular attendance; communicate effectively (orally and in writing if both appropriate) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools and equipment; complete assignments in a timely and efficient manner; and, adhere to departmental policies and procedures regarding attendance, leave, and conduct.

Note: Any business travel reimbursements will be done in accordance with the approved applicable Memorandum of Understanding (MOU).

ADDITIONAL REQUIREMENTS:

None

SIGNATURES:

The statements contained in this duty statement reflect details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise to balance the workload.

Employee: I have read and understand the duties listed above and can perform them with/without Reasonable Accommodation (RA). *(If you believe you may require Reasonable Accommodation, please discuss this with the hiring supervisor. If you are unsure whether you*

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require Reasonable Accommodation, inform the hiring supervisor, who will discuss your questions and/or concerns with the RA Coordinator.)

Supervisor: I have discussed the duties with and provided a copy of this duty statement to the employee named above.

EMPLOYEE NAME (PRINT)		SUPERVISOR NAME (PRINT)	
Employee's Signature	Date	Supervisor's Signature	Date